

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:
JUSTINE FERREIRA, <i>individually and as parent and</i>	:
<i>natural guardian of N.R.,</i>	:
	:
Plaintiff,	:
	:
-v-	:
	:
NEW YORK CITY DEPARTMENT OF EDUCATION,	:
	:
Defendant.	:
	:
-----X	
	:
JUSTINE FERREIRA, <i>individually and as parent and</i>	:
<i>natural guardian of N.R.,</i>	:
	:
Plaintiff,	:
	:
-v-	:
	:
RICHARD CARRANZA et al.,	:
	:
Defendants.	:
	:
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19-CV-2937 (JMF)

19-CV-8519 (JMF)

MEMORANDUM OPINION
AND ORDER

JESSE M. FURMAN, United States District Judge:

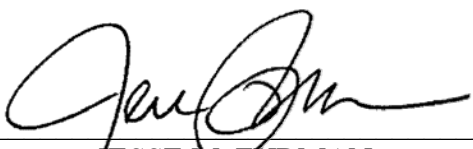
On March 2, 2020, the Court issued a Memorandum Opinion and Order in these related cases. *See* Docket No. 19-CV-2937, ECF No. 48; Docket No. 19-CV-8519, ECF No. 51. On March 4 and 5, 2020, Plaintiff filed motions in both cases, seeking reconsideration and asking the Court to delete a footnote from its March 2nd Opinion. *See* Docket No. 19-CV-2937, ECF No. 50; Docket No. 19-CV-8519, ECF No. 53. On March 5, 2020, the Court issued a Memorandum Opinion and Order denying these motions, but agreeing — in light of Plaintiff’s “only specific objection” to the footnote at issue — to issue an amended opinion deleting one

sentence from the footnote. *See* Docket No. 19-CV-2937, ECF Nos. 52-53; Docket No. 19-CV-8519, ECF No. 55-56. Not to be deterred, Plaintiff has now filed yet *another* round of motions, again seeking reconsideration and again asking the Court to delete the footnote at issue. *See* Docket No. 19-CV-2937, ECF Nos. 54-55; Docket No. 19-CV-8519, ECF No. 57-58.

Plaintiff's latest motions are DENIED. Indeed, while Plaintiff's first set of motions for reconsideration was meritless, this round — seeking not a second bite at the proverbial apple, but a third — is frivolous, if not sanctionable. *See, e.g., Analytical Surveys, Inc. v. Tonga Partners, L.P.*, 684 F.3d 36, 52 (2d Cir. 2012) (“It is well-settled that [a motion for reconsideration] is not a vehicle for relitigating old issues, presenting the case under new theories, securing a rehearing on the merits, or otherwise taking a second bite at the apple. Rather, the standard for granting a . . . motion for reconsideration is strict, and reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked.” (internal quotation marks, citations, ellipsis, and alterations omitted)). To the extent that Plaintiff believes that the Court has erred, her remedy lies in an appeal — not in multiple rounds of motions for reconsideration. The Clerk of Court is directed to terminate ECF No. 54 in Docket No. 19-CV-2937 and ECF No. 57 in Docket No. 19-CV-8519.

SO ORDERED.

Dated: March 11, 2020
New York, New York



JESSE M. FURMAN
United States District Judge